sub-section (3) of section 27 of the Delhi Apartment Ownership Act, 1986, a copy (in English and Hindi) of the Ministry of Urban Development Notification G S.R. No. 914(E), dated the 17th November, 1987, publishing the Delhi Apartment Ownership Rules, 1987. [Placed in Library. See No. LT-5121/87].

Report and Accounts (1986-87) of the Hindustan Zinc Limited, Udaipur and related papers

THE MINISTER OF STATE IN THE DEPARTMENT OF MINES IN THE MINISTRY OF STEEL AND MINES (SHRIMATI RAM DULARI SINHA): Sir, I beg to lay on the Table, under sub-section (1) of section 619A of the Companies Act, 1956, a copy each (in English and Hindi) of the following papers:—

(i) Twenty-first Annual Report and Accounts of the Hindustan Zinc Limited, Udaipur, for the year 1986-87, together with the Auditors' Report on the Accounts, and the comments of the Comptroller and Auditor General of India thereon.

(ii) Review by Government on the working of the Company.

[Placed in Library. See No. LT-5168/87 for (i) and (ii)].

THE ADMINISTRATIVE TRIBUNALS (AMENDMENT) BILL, 1987

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Madam, I beg to move for leave to introduce a Bill further to amend the Administrative Tribunals Act, 1985.

The question was put and the motion was adopted.

SHRI P. CHIDAMBARAM: Madam, I introduce the Bill.

REPORTED REMARKS OF THE HOME MINISTER, SHRI BUTA SINGH, AGAINST THE CHIEF MINISTER OF ANDHRA PRADESH —Contd.

THE DEPUTY CHAIRMAN: Now, Shri Salve to continue.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Madam, on a point of order.

THE DEPUTY CHAIRMAN: You are starting with a point of order?

SHRI PARVATHANENI UPENDRA Now, Mr Salve is the Chairman of the Finance Commission. While conceding his right as a Member to speak on this subject, since he has essentially to deal with the Chief Ministers of various States, I hope he will refrain from making such remarks which will embitter his relations with the State Governments and Chief Ministers.

SHRI N. K. P. SALVE (Maharashtra): I am grateful to the hon. Member for his initial comments. In fact...

THE DEPUTY CHAIRMAN: He has raised a point of order. I have to give a ruling.

SHRI PARVATHANENI UPENDRA: It is a suggestion.

THE DEPUTY CHAIRMAN: There is no point of order. It is a piece of advice.

SHRI DIPEN GHOSH (West Bengal): Madam, on a point of order. Yesterday, Shri Shiv Shanker while refuting my charge against him for making aspersions...

SHRI PAWAN KUMAR BANSAL (Punjab): Madam, I am on a point of order.

SHRI DIPEN GHOSH: Let me be allowed to raise my point of order. If I am wrong, I will sit down. But I must be allowed to complete.

श्री राम अवधेश सिंह (बिहार) : पाइंट आफ आर्डर पर पाइंट आफ आर्डर होता है। (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Bansal, unless I permit, you cannot speak like this.

SHRI DIPEN GHOSH: Madam, while making a submission, Shri Shiv Shanker, in regard to what I charged, said that he did not say that. But I have a full text with me here. I have a full text of his speech wherein....

SHRI PAWAN KUMAR BANSAL: He is using this as an opportunity.... (*Interruptions*)

SHRI DIPEN GHOSH: I have got the full text from him... (*Interruptions*) wherein he has made aspersions against Supreme Court (*Interruptions*)

THE DEPUTY CHAIRMAN: This cannot be the subject of a point of order. Please sit down.

SHRI DIPEN GHOSH: Then you ask him also to sit down.

श्री लाल कृष्ण आडवाणी (मध्य प्रदेश) : कल मैंने इस पर आपत्ति उठाई थी कि आप सबमिशन के लिए मत दीजिए । मैं पाइंट आफ आर्डर उठाना चाहता था, आपने कहा मैं सबमिशन दे रही हूं और अपने शिवशंकर जी को सबमिशन करने का अधिकार दिया ।

उपसभापति : इसलिए मैंने पाइंट उठाया था कि अगर किसी मिनिस्टर को इनन्डोज किया जाता है ... (धन्यवाद)

SHRI DIPEN GHOSH: That is why I say it was not innuendo. I have got a full text from him. It is not innuendo, I will prove that.

THE DEPUTY CHAIRMAN: You were making innuendoes. In that case, if any such statement is made, the Minister has a right there and then to refute the charge. (*Interruptions*). I am on my legs, It will not go on record. (*Interruptions*). Mr. Bansal, why are you raising all this- I am on my legs, you should see that. (*Interruptions*). Please sit down. Therefore, I gave him the permission which was according to the rules and you cannot challenge that.

SHRI DIPEN GHOSH: The Minister cannot be allowed to mislead the House. (*Interruptions*).

THE DEPUTY CHAIRMAN: Now, please sit down. Let the debate start. I will request all the Members not to create any bitterness out of this. Let us have a smooth and peaceful discussion. After all, you are all—again I would like to repeat—learned elders, seasoned persons, very sensible, having a sense of understanding. Therefore, I will request all the Members to please bear with other Members.

SHRI N. K. P. SALVE: Madam Deputy Chairman, I am grateful for the kind advice of Shri Upendra I assure him and I assure the House that I am conscious of my responsibility, my official responsibility and I know how important it is to maintain harmonious relations between the Centre and States, conducive to the very federal polity in the Constitution. It is a game which both the Centre and the States must play. If the Central Ministers must refrain from making certain comments, it is equally expected that the Chief Ministers will also refrain from making reckless, irresponsible, malicious, false allegations against the Prime Minister or against our party. It is something in which the States should also realise their responsibility.

Speaking for myself, so far as the C.M. is concerned, I am shocked at the evidence that has come here. I do not want to levy any charges against him. But I am sure, if I should want to sympathise with him, Mr. Upendra should have no objections. It is a very unsavoury subject which is being debated, not conforming to the highest traditions of this House. I wish that the subject was never raised in this House. There is some confusion as to what the subject matter is. The subject, according to me, is, the gross impropriety involved in the reported charges levelled during the Zila Parishad elections of Guntur by Union Home Minister against the Chief Minister of Andhra Pradesh, accusing him of indulging in anti-national, separatist activities, corruption and committing economic offences. This is the subject matter of this debate.

SHRI PARVATHANENI UPENDRA: There is something more than that, that is, the interference in State administration, warning the officials, all these things are there.

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): Propriety of Central Ministers.... (*Interruptions*).

SHRI N. K. P. SALVE: The heart of the matter is . . . (*Interruptions*)... Kindly bear with me and protect me.

PROF. C. LAKSHMANNA (Andhra Pradesh): He should say all the facts, not half facts.

SHRI N. K. P. SALVE: According to me, the heart of the matter is the impropriety on the part of the Home Minister in accusing the Chief Minister of various charges, inclusive of corruption committing economic offences and separatist activities. The other charges that have been levelled, for the purpose of formulation of the subject matter, are not important from the viewpoint that we have now before us. Listen to me...

For this reason we have now. . . (*Interruptions*) Listen to me...

THE DEPUTY CHAIRMAN Mr. Reddy, why are you interrupting? Please sit down.

SHRI N. K. P. SALVE: This is very unpalatable subject and if we have been forced to debate this, let us take it in a dignified and restrained manner and I really hope . . yes on other side . . and I honestly hope that if Telugu Desam Party does feel a litle cornered.

SHRI PARVATHANENI UPENDRA: why cornered?

SHRI N. K. P. SALVE: All right, I am very happy.

SHRI PARVATHANENI UPENDRA: You are cornered, on the contrary. You are in the dock. Yau are to reply.

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): You have no face to show because of your policies. You are cornered.

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): On a point of order, Madam, Mr Salve, you should be gallant enough to yield to me.

SHRI PARVATHANENI UPENDRA: Don't provoke Mr. Salve. He wants to speak in a dignified way.

SHRI N. K. P. SALVE: I want to submit that if feels that it is not cornered... All right.

SHRIMATI RENUKA CHOWDHURY: Once and for all I want to place on record....**

THE DEPUTY CHAIRMAN: What is the point of order? Ther is no point of order. It will not go on record.

SHRI N. K. P. SALVE: Madam, I am very happy that the Telugu Desam Party does not feel that either it is cornered or is at the receiving end. Therefore, it is ever the more necessary that whereas the Home Minister is in the dock, if he is in the dock, while he is in the dock, one

**Not recorded.

[Shri N. K. P. Salve]

who is acusing should show the same forebearance and dignity which he is showing. But as I have said, in the end.

SHRI B. SATYANARAYAN REDDY: Mr. Salve has already brought defame and disgrace. (*Interruptions*)

THE DEPUTY CHAIRMAN: Everybody, please sit down. Mr. Reddy, please sit down. One minute....I would like to request the hon. Members that if you try to raise objection to each and every word that is uttered, this is not....may be, that may be his view and your view may not be the same, but he has right to express his vitws, unless and until it is unparliamentary. He should not say anything which is unparliamentary or against the rules. But then he has the right to express his views. You cannot take objection to each and every word. You cannot carry on a discussion in this manner. So bear with him. If some different views are expressed, you have to be tolerant. You may not agree with those views. So, please. I once again request all the hon. Members to carry on the business smoothly. Yes, Mr. Salve.

SHRI N. K. P. SALVE: Madam, the question involves censuring of no less a person than the Home Minister of India. We take this matter very seriously. The conduct and character of a Chief Minister is involved. That is an equally serious matter. Shouting, contradicting, is not going to solve the problem. In fact, I would very much...(*Interruptions*) ...

THE DEPUTY CHAIRMAN: Again you are starting the same thing

(*Interruptions*)...

SHRI N. K. P. SALVE: I would very much want that if this is a challenge on the Telugu Desam, you convert this challenge into an oportunity and clear Mr. N. T. Rama Rao clearlp of the charges of corruption being levelled against him throughout the length and bdeadth of the country.

SHRI PARVATHANENI UPENDRA: On a point of order...(*Interruptions*)... Madam, yesterday you set the parameters of the discussion and it is not Mr. N. T. Rama Rao's conduct or his performance which is under discussion today. If they want that, that is a different issue. You can take another opportunity, if necessary, and in that case we will take the opportunity of discussing every Chief Minister's actions and every Chief Minister's performance. If they are prepared, we are prepared for a special discussion on the performance of the Congress Chief Ministers and our Chief Minister. We are ready for a discussion. But this is not the subject. Today's subject is the Home Minister's utterances. Therefore, you confine to those things only.

SHRI N. K. P. SALVE: Madam, it is necessary ...

श्री राम अवधेश सिंह : आपकी व्यवस्था क्या हुई, महोदया, इन्होंने जो सवाल उठाया है, उस पर ?

उपसभापति : यह पाइंट आफ आर्डर नहीं है ।

SHRI RAM AWADHESH SINGH: Whether he can charge N. T. Rama Rao and raise a discussion ...

SHRI N. K. P. SALVE: I am not charging I am going to consider the charges levelled by the Home Minister in the context of the conduct and character of the Chief Minister. It is a very delicate matter... (*Interruptions*)... The federal policy ... (*Interruptions*) ...

SHRI DIPEN GHOSH: Will the Home Minister agree that he has made charges? (*Interruptions*) ... Then let there be a debate.

SHRI V. GOPALSAMY (Tamil Nadu): He should withdraw those words.... (*Interruptions*)...Then let us have a discussion on the conduct and character of Rajiv Gandhi ... (*Interruptions*) ...

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Madam, yesterday I repeatedly argued with Mr. Upen-

dra and Mr. Dipen Ghosh that these are press reports. When I get the opportunity. I will say what I have to say. Before, that, these reports are the subject-matter of discussion before this House. Whatever is contained in these reports, allegedly, is the subject on which every Member has a right to reflect, and whatever facts are mentioned, so long as I do not own or disown them, they are very much the property of this House for discussion and nobody can stop us from commenting on them ... (*Interruptions*) ...

SHRI V. GOPALSAMY. But he cannot use the words "conduct and character" against the Chief Minister. He should withdraw those words ... (*Interruptions*)... Mr. Salve referred to Members the conduct and character of Mr. Rama Rao. He should withdraw those words. Otherwise we should discuss the conduct and character of Mr. Rajiv Gandhi here. (*Interruptions*)...

SHRI DIPEN GHOSH: Madam Deputy Chairman if you consult the proceedings of yesterday, when I referred to a particular utterance having been made...

THE DEPUTY CHAIRMAN: No. You are raising the same point again. .... (*Interruptions*) ..I have given my ruling on that.

SHRI DIPEN GHOSH: You must listen to me. First of all you must listen to me.

THE DEPUTY CHAIRMAN: You can't raise it. I have given my ruling on that. You can't raise it again. Yesterday also I gave my ruling on that. Today also I have given. You are referring to Mr. Shiv Shanker.

SHRI DIPEN GHOSH: How can you give a ruling without hearing me first?

THE DEPUTY CHAIRMAN: Just now you mentioned... (*Interruptions*). . You said that yesterday... (*Interruptions*)...

SHRI DIPEN GHOSH: Without hearing me?

THE DEPUTY CHAIRMAN: I have heard. You are raising the same point.

SHRI DIPEN GHOSH: Just listen.

THE DEPUTY CHAIRMAN: No, I am not listening. You are raising the same point again.

SHRI DIPEN GHOSH: How do you know?

THE DEPUTY CHAIRMAN: I know it. You started with...

SHRI DIPEN GHOSH: How can you know what is in my mind?

THE DEPUTY CHAIRMAN: You started by saying... (*Interruptions*)

SHRI DIPEN GHOSH: I say it is wrong. Unless and until you hear me, you cannot give your ruling.

THE DEPUTY CHAIRMAN: I have given my ruling... (*Interruptions*)...

SHRI DIPEN GHOSH: How can you?

THE DEPUTY CHAIRMAN. I am on my legs. I will give you a chance. I have allowed Mr. Gurupadaswamy. (*Interruption*) Please sit down.

SHRI M. S. GURUPADASAMY (Karnataka): We are ... (*Interruptions*)

THE DEPUTY CHAIRMAN: I have allowed. Why does everybody want to speak in between?

SRHI M. S. GURUPADASAMY: She has allowed me. Why are you bothered. Why are you exercised? I have taken her permission.

THE DEPUTY CHAIRMAN: Yes, I have allowed him. Please be quiet.

SHRI M S GURUPADASWAMY: Madam, I think, you did not understand what he was saying. That is all I say. He is not referring to that matter.....

THE DEPUTY CHAIRMAN: He is raising the mater...

SHRI DIPEN GHOSH: No, Madam. This is custom.. . .

SHRI M. S. GURUPADASAMY: Just a minute. I would beg of you that the Chair should be tolerant. That is all I would say.

SHRI DIPEN GHOSH: On a point of order, Madam. Yesterday, when I referred to a remark attributed to Mr. Buta Singh, quoting from the "NEWS-TIME", it was Mr. Buta Singh who said, "You are taking whatever has been reported in the newspaper as gospel truth." Now he is saying, when Mr. Salve is quoting and we are objecting, that whatever has been reported can be the subject matter of the discussion. How is it?

SHRI BUTA SINGH: Madam, let me make it very clear, what I said now and what I said yesterday was that so long as I give my version on the reports, they have to be treated here, and I was telling you not to treat them as gospel truth.

They are the subject matter. On their basis, Madam, in your presence, a very senior, highly respected Member of this august House, called me indecent, uncultured and what not. If that is so, then, Mr. Salve has every right to dwell upon that very subject.

SHRI DIPEN GHOSH: Mr. Salve has the right to treat it as gospel truth.

SHRI BUTA SINGH: Yes, he has to put his point of view, and there should not be any objection to that.

PROF. C. LAKSHMANNA. Madam Deputy Chairman, I would like to raise on this . .

THE DEPUTY CHAIRMAN: Sit down, Prof. Lakshmana. I am not going to allow. If on every word you are going to raise a point of order, it is not according to the Rules of Business.

PROF. C. LAKSHMANNA: I am on a point of order on what he has said. That is all.

SHRI PARVATHANENI UPENDRA: We heard Mr. Kulkarni with patience. We did not interrupt him. Let them be within limits. (*Interruptions*)

THE DEPUTY CHAIRMAN: What is this again? Will a fresh discussion start on only a point of order?

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Madam, I have been quoted by a newspaper, and I must bring it to your notice. The proceedings are there on what I have said. I never said 'so-called Chief Minister." I advisedly used the expression "so-called leader."

PROF. C. LAKSHMANNA: The Home Minister has just now said that whether what has been advocated by him in the elections is a fact, he would tell later, but for the present what appeared in the papers is the subject matter. What has appeared in the papers is the subject matter to the extent the Home Minister in a particular public meeting or in a series of public meetings stated certain things, but what he has said about the Chief Minister or other Ministers

SHRI PAWAN KUMAR BANSAL: How can you separate?

PROF. C. LAKSHMANNA: Yes, we have to separate them for two reasons. I will tell you the reasons. Rule 238 clearly says that an officer in high authority cannot be made the subject matter of a discussion in the House because he is not in a position to defend. You have given a ruling on that. That is correct. Secondly, you have also given a ruling that from the judgment the findings and the decree could be quoted. If we take these two things into consideration, it is very clear that there cannot be a discussion about Shri Rama Rao, and there can be a discussion only on how the Home Minister tried to use the opportunity of addressing the public meetings only to condemn the State Givernment, to condemn the State officials and so on and so forth. That is the basic issue. Therefore, so long as the discussion is confined to this basic issue. there is no problem. (*Interruptions*).

THE DEPUTY CHAIRMAN: Have you finished?

PROF. C. LAKSHMANNA: No, Madam, I am finishing.

Taking advantagt of the situation the Members may talk something else, and in the end the Home Minister will say, "I have never said these things." That will give a lie to what is happening. Therefore, they should not, by your own direction, by your own judgment, by your own ruling, refer to a person who is not present here. Secondly, they could talk about what has been said in defence of that. That is all. (*Interruptions*).

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Madam, I was listening to Prof. Lakshmanna with great patience. I would like to draw your kind attention to Rule 238 to be observed while speaking. Yesterday we had all agreed on certain modalities and forms and methods and we are all agreed that we are going to debate this subject. Rule 238, sub-clause (viii) says:

> "A member, while speaking shall not . . . . use his right of speech for the purpose of obstructing the business of the Council."

This was not done. Actually what is happening from that side was only to obstruct the proceedings of the House Opinions were expressed. Disagreement is not a point of order. Prof. Lakshmanna has a disagreement. Disagreement is not a point of order and point of order cannot be misused on this forum. Point of order cannot be misused as a point of disagreement. Disagreement is one when the Opposition Members are free to express their opinions, when they speak. It is not for obstructing any Member in between.

THE DEPUTY CHAIRMAN: I would advise the Member not to please interrupt in between now.

SHRI N. K. P SALVE: I agree with what Prof. Lakshmanna says, we are considering his conduct. But that is not in the vacuum. Is it in the air or is it wth reference to what he is reported to have said? And what he reportedly said, it is that which impinges on the question of the conduct and character of the Chief Ministtr. (*Interruptions*). That is my thinking of the matter.

SHRI B. SATYANARAYAN REDDY: No. (*Interruptions*)

SHRI N. K. P. SALVE: That is my thinking of the matter. You are entitled to have your own view. And if he is making comments in an irresponsible manner

SHRI B. SATYANARAYAN REDDY: That is not the subject under discussion.

SHRI PARVATHANENI UPENDRA: He has raised a pertinent point. It is not the conduct of the Chief Minister which is under discussion. (*Interruptions*)

SHRI N. K. P. SALVE: If he has spoken the truth, do we condemn him? But if he is maliciously false, if he is reckless, if he is irresponsible, then all of us would like to censure him very much Let us examine the matter a little more cooly and objectively. Infact, it is an opportunity where really Mr. N.T.R. would have been cleared of the extremely malicious charges.

SHRI PARVATHNENI UPENDRA: First let Rajiv Gandhi clear himself. It is not NTR, it is Rajiv Gandhi, who should clear himself Clear Rajiv Gandhi first on Bofors. Let Rajiv Gandhi clear himself on Bofors. (*Interruptions*)

SHRI N.K.P. SALVE: Madam, speaking as he deputy leader of my party in this House, not once, not one hundred times, but one thousand times we are willing to discuss Bofors and we will never say, don't refer to this, don't refer to that Let there be a full discussion and let it be honestly decided. whether we are guilty of anything (*Interruptions*)

SHRI B SATYANARAYAN REDDY: Befors and also the conduct of the Prime Minister, Rajiv Gandhi. Let it be discussed. (*Interruptions*) Is he prepared to have a discusssion?

SHRI N.K.P. SALVE: Madam, it is irrelevant, but permit me to say that

[Shri N. K. P. Salve]

we are not scared, we are not intimidated. Why do they feel intimidated? At the most in the innocent comments which I am making in my speech, have I said for a moment that Mr. N. T. Rama Rao is guilty of the charges which he has levelled against him? Have I said so? *(Interruptions)* But let us examine.

THE DEPUTY CHAIRMAN: Mr. Lakshmanna, no sooner the name of Mr. N. T. Rama Rao comes, you and others get up and start... *(Interruptions)* You see the whole issue has come up...*(Interruptions)* Listen now. You are not listening to me.

SHRI PARVATHANENI UPENDRA: Say Mr. Buta Singh, not NTR. *(Interruptions)*

AN HON. MEMBER: NTR and Mr. Kapoori Thakur. *(Interruptions)*

SHRI N. K. P. SALVE: They should discuss the conduct of the Home Minister but not in a vacuum. *(Interruptions)*.

THE DEPUTY CHAIRMAN: Listen, something was reported in the press and allegedly Mr Buta Singh who is the Home Minister has said something against the Chief Minister of Andhra Pradesh, Mr N. T. Rama Rao...*(interruptions)*. Listen, the Home Minister, Mr Buta Singh has said something but about whom and against whom? *(Interruptions)* Listen, without any substantive motion if they cannot even utter the name of Mr N. T. Rama Rao, without any substantive motion you cannot also utter the name of the Home Minister.

SHRI PARVATHANENI UPENDRA: I have given a notice.

THE DEPUTY CHAIRMAN: You have to bear. *(Interruptions)* You are not allowing me to speak. To what extent you have gone? You don't allow the Members and you don't allow other also to speak What type of obstruction is it?

I can show you what Mr. P. Upendra has said yesterday He said that the subject matter should be what has been reported in the Press. That is the subject matter. In the press it has been reported the name of the Home Minister and the Chief Minister also. Therefore, you may say... *(interruptions)*. This is rather over-sensitive. If there are false allegations those charges should be refuted—if he has not said it he will have to say he has not said it—if the charges are not true you will have to say. But what is being discussed is the alleged charges against somebody made by somebody. That is in the press.

SOME HON MEMBERS: No, no.

SHRI PARVATHANENI UPENDRA: We will not allow you to change the nature of discussion.

SHRI N. K. P. SALVE: Reported charges.

THE DEPUTY CHAIRMAN: They are reported charges.

SHRI PARVATHANENI UPENDRA: You are trying to change the entire complexion of the discussion. We won't allow. *(Interruptions)*

THE DEPUTY CHAIRMAN: Don't try to do that. *(Interrputions)* I am on my legs. You said that it should be converted into a debate and the whole House agreed to it and it was accepted.

SHRI BUTA SINGH: I accepted it.

THE DEPUTY CHAIRMAN: Mr. Upendra, you said that the subject matter should be about the special mention which you wanted to make and the special mention was about the reported matter which came in the press and whatever appeared in the press about that only he is going to talk.

SHRI A. G. KULKARNI (Maharashtra): Madam, I am on a point of order. My point of order is we are all along, as you have rightly pointed out, discussing on the alleged newspaper report of "Newstime" yesterday and wasted our time. But today for heaven's sake, I would request my friends, let us be very brief and come to some conclusion because today is Friday. Madam, my good friends are having pavlovian reflexes whenever NTR's name is mentioned. They should not have pavlovian reflexes. They should be

straight to accept what is coming from this side. They have initiated the discussion. We have not initiated. (*Interruptions*). Why are you worried?

SHRI V. GOPALSAMY: Madam, I am on a point of order. The issue before us is....

THE DEPUTY CHAIRMAN: Listen, these are four or five Members from this side who want to raise a point of order. side and four or five Members from that Now, if I allow you I have to allow them also.

SHRI V. GOPALSAMY: How Mr. Kulkarni was allowed?

THE DEPUTY CHAIRMAN: I have allowed Mr. Gurupadaswamy also.

SHRI CHATURANAN MISHRA: The point of order should be discussed first

THE DEPUTY CHAIRMAN: I have accepted the advice given by Mr. M. S. Gurupadaswamy that the Chair should be tolerant. I am going to be tolerant and I advise Members from both the sides to be tolerant. Let us conclude this debate. Please do not interrupt. If everybody starts interrupting, then the Member cannot finish his speech and then protracted discussion would go on. That is the whole thing. Therefore, I request everybody to be somewhat tolerant and you will have every chance to say whatever you want to say when your turn comes.

SHRI N. K. P. SALVE: Madam, give me 10 minutes uninterruptedly and I will finish absolutely. You yourself have formulated the subject matter and I am very grateful to you, Madam.

SHRI MURASOLI MARAN (Tamil Nadu): No, no, that is not the subject matter.

(*Interruptions*)

SHRI V. GOPALSAMY: Madam, I am on a point of order. Madam, the issue before us is the blackmailing attitude of the Home Minister against the State Government That is the issue we are discussing here. (*Interruptions*).

SHRI BUTA SINGH: Madam, I take serious objection to the remarks made by the hon. Member. The attitude of the Opposition is to tarnish my image without giving me a chance.

(*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Salve please do not yield now.

AN HON'BLE MEMBER: It is unparliamentary.

SHRI N. K. P SALVE: I will not yield, Madam. Nothing is unparliamentary What he has said is sacrosanct and I will confine myself to the subject matter and the moment you find that I am irrelevant to this subject, you can stop me. Madam, I am one who personally has respect for Mr. N T. Rama Rao. Now, there is a derisive smile from here, (*Interruption*) and there is a reason why I have respect for Mr. N. T. Rama Rao.

SHRI A. G. KULKARNI: He is a good actor.

SHRI N. K. P. SALVE: No, no, it is a serious matter. It is not for his histrionic talents. (*Interruption*). Madam, I have never seen Telugu pictures. I do not know his histrionic talents but there is a different reason for which I have respect for him. I had been to the general electioneering against his Party and at that time, I realised that the people of Andhra Pradesh looked upon him with very great reverence. They looked upon him as a person who came as a messiah, as a redeemer of the people of Andhra Pradesh. They said in a meeting, it was a saint who had strayed into politics, a very unsavoury profession which is the last last refuge of a scoundrel. (*Interruption*).

SHRI PARVATHANENI UPENDRA: And you entered politics earlier.

SHRI N K. P. SALVE: I have entered earlier and I am a politician

SHRI PARVATHANENI UPENDRA: Then you are a scoundrel first.

SHRI PAWAN KUMAR BANSAL: He must withdraw that word.

SHRI N. K. P. SALVE: Madam, I am a political and if politicians are scoundrels, then really I do not know what

[Shri N. K. P. Salve]

would be expect of me to call Mr. N. T. Rama Rao? He has strayed into politics at any rate. (*Interruptions*). Madam, he was a pious man (*Interruptions*). Madam, I am not going to yield. He was a pious man who came as a redeemer, who came as a messiah for the people of Andhra Pradesh, he is maliciously being maligned; charges are being levelled against him. Is there not a campaign of vilification all these days going on against him? (*Interruptions*). I am not yeilding. Madam, the campaign of vilification which is being carried out against him does not do good and is not very desirable for a stable State Government Therefore, it was absolutely necessary that this sort of a campaign should be put an end to and if you have allowed a debate here, I personally feel this is the highest temple of the people of the country and Mr. N. T. Rama Rao's character assassination process could have been put an end to here.

SHRI PARVATHANENI UPENDRA. It is not necessary now.

SHRI N. K. P. SALVE: And if you think it is not necessary here, you are unnecessarily avoiding a very real issue. If I have to condemn Mr. Butta Sngh, if I have to condemn the Home Minister Madam, it is necessary, as you pointed out that if the maliciously, dishonestly, tendentiously and without any purpose, recklessly accused him of the reported charges, then I submit, he is a person who is not worthy of a berth in the Union Cabinet. But if there is a basis for it, I hope it is not their case that though what Mr Buta Singh has spoken is the truth, in the interest of the State and the Centre relationship, he should not have spoken the truth. He went for an election campaign there.

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI N. K. P. SALVE: Whether it is important or not, whether a Minister should go or not, is a different story. Let us agree to disagree on that. One thing is clear. (*Interruptions*) If he has gone there for electioneering...(*Interruptions*) Let us agree to disagree on that. We think it is important for him to go. Our party leader has sent him and he has gone there. That is not the subject of controversy here. But if he had gone there for electioneering, surely he was not going to eulogise N. T. Rama Rao and his party. He was not going to establish a case that he was the paragon of virtue or the absolute embodiment of morality. He had gone there to run down the party and the leader. In the process of running down—as the Home Minister he carries a very special and delicate responsibility—if he had not acted in a manner which is really responsible, reasonable, if he had acted on the basis of irrelevant material, immaterial considerations, if there was no truth in what he was saying, his guilt would have been conclusively there. Now what happens? Yesterday, when the matter was going on, Mr. Upendra, no doubt, very frankly tried to refute the charges levelled by Mr. Buta Singh, but both Mr. Dipen Ghosh and Mr Gurupadaswamy did not say a single word about the charges. They merrily swalloded what the charges were. (*Interruptions*) They merely said thaat the language used by him was improper and that the Home Minister should not indulge in this kind .. (*Interruptions*)

SHRI DIPEN GHOSH: Madam Deputy Chairman, I am on a point of order.

SHRI N. K P. SALVE: I am not yeilding. The question is, if the Home Minister is acting on the basis of . . . (*Interruptions*)

SHRI DIPEN GHOSH: Madam, I am on a point of order.. . (*Interruptions*)

SHRI DIPEN GHOSH: Madam Deputy Chairman. I am on a point of order. You are going to create a precedent if I am not allowed. (*Interruptions*) You are going to create a wrong precedent that a Member is not allowed to raise a point of order. It is a serious question. (*Interruptions*) I am on a point of order.

SHRI N K. P. SALVE: I will continue. (*Interruptions*) The question is this (*Interruptions*)...prima facie evidence implicat- that the Chief Minister is indulging in the

activities .. (*Interruptions*) ...the Mome Minister is reported to have alleged against him... (*Interruptions*)

SHRI DIPEN GHOSH: Madam Deputy Chairman, yesterday we said that history is going to be created. But that does not mean that to create history, the rule book will be thrown to the winds. Even if I am on a point of order. I am not being heard. How is it? This is the rule book. How is it? Is this the last day of this House? Is this the last day of Parliament of India, when everything has to be thrown to the winds? (*Interruptions*) No. I am going to raise the point of order.

THE DEPUTY CHAIRMAN: Mr. Dipen Ghosh, please come to your point of order.

SHRI DIPEN GHOSH: The point of order is Rule 238. My point of order is this.

Rule 238· *Rules to be observed while speaking*: A member while speaking shall not --

(i) refer to any matter of fact on which a judicial decision is pending:

(ii) make a personal charge against a member:

(iii) use offensive expressions about the conduct or proceedings of the Houses or any State Legislature:

(iv) reflect on any determination of the Council except on a motion for rescinding it:

(v) reflect upon the conduct of persons in high authoright unless the discussion is based on a substantive motion drawn in proper terms.

This is my point, that we are not discussing any substantive motion drawn in proper terms, though yesterday liberally you gave a ruling, let there be a debate on that special mention. (*Interruption*) Madam, I must be heard. Mr. Salve said that Dipen Ghosh or Gurupadaswamy did not rebut the charges or support the charges It was because I wanted to go by the rules. I did not want to make any charge or discuss on the basis of any charge. I would, therefore, request you kindly to draw the attention of the Members to this particular aspect that since we are not discussing any substantive motion, we should not discuss the conduct or character of any person in high position, more so when he is not present in the House to defend himself. Thank you.

श्री चतुरानन मिश्र (बिहार) : बहुत अच्छा प्वाइंट आफ आर्डर इन्होंने रेज किया है । .... (**व्यवधान**) ...जरा सुन लीजिए । एक आदमी ने शादी की । तीन बच्चे होने के बाद उसे याद पड़ा कि हमारा गौत्र क्या है, कौन सा गौत्र है । इसी तरह आपने रूल की बात की । लेकिन कल से डिबेट चल रही है और जिसके मन में जो आता है वह कह देता है, रूल कहां है? (**व्यवधान**)...आप लोग तो मंत्री है । आप लोग बार बार उठते और बैठते है । यह तो स्कूली लड़कों का काम है । आप लोगो ने क्या कसूर किया है जो उठते बैठते है ।

SHRI N. K. P. SALVE: Madam, I levelled no charge against Dipen Ghosh or any other Member.....

THE DEPUTY CHAIRMAN: Please finish now.

SHRI N. K. P. SALVE: I may be allowed to make my point. I have not spoken for more than five minutes. You will find me absolutely brief and cooperating with you.

Not for a moment did I level any charges against them I said they did not, as a fact refute any of the allegations and that they have not done so for very valid reasons. For very valid reasons they have not refuted the allegations. As a fact it remains there. The Home Minister here would be guilty of the grossest irresponsibility if there was absolutely no basis for what he was talking about. If what he was talking about is based on credible, prima facie, evidence, then certainly he will be explaining why he did say so It can at least be not called false, not called irresponsible. It can at best be said, without going into the veracity of the matter you have made such a statement. But that is not the allegation. In this connection yes-

[Shri N. K. P. Salve]

terday he referred to certain excerpts from a newspaper. Here I want to refer to....

SHRI PARVATHANENI UPENDRA: On a point of order. As you have rightly pointed out, Madam Deputy Chairman, please do not go back on your ruling, the subject-matter is the newspaper cutting which I referred to. That is the subject-matter. Now he cannot bring any more newspaper cuttings in support of or to repudiate this thing. That is one thing. The second thing is this Let me complete.

Another point, Madam, is that the Home Minister is getting up repeatedly and telling that you are taking the newspaper reports as gospel truth and he has not yet made up his mind whether to deny or confirm it. We are yet to hear from him. On what basis does Mr. Salve try to justify what is in the mind of the Home Minister? It is for the Home Minister; it is not for Mr. Salve. Till now the Minister has not indicated anything If the Minister gets up and says, 'yes, I have made all the allegations', that would be a different thing. But he is not telling. . (*Interruptions*)

SHRI A. G KULKARNI. I did not bring this subject here. All the rubbish is going on there. And he is repenting. He can withdraw and go out.

THE DEPUTY CHAIRMAN: Please conclude, Mr Salve.

SHRI N K P. SALVE· Not for a moment do I say that what is reported in the paper is gospel truth Infact, he considers that as gospel truth. So far as I am concerned, I am on a very important and crucial question· what is the credible, *primma facie,* evidence on the basis of which certain allegations are made? If he has not made allegations, it is for him to say. At the moment we are debating on the bas's of this report for what it is worth. As I said, so far as N T Rama Rao is concerned, I am really shocked that such incredible things should have been said about him. But what is worse for him — and I say it very sincerely — is that it is the bunch of lawyers who seem to be after him and the not-too-wise mebers of his party who are causing his downfall. Now, look at this; His lawyer says in a court of law... (*Interruptions*)

SHRI PARVATHANENI UPENDRA: The matter is *sub judice.* Is it allowed?

AN HON. MEMBER: He cannot refer to this document. (*Interruptions*)

SHRI N. K. P. SALVE: Madam, the young lawyer is not a member of my party. He is one who went to Andhra Pradesh High Court to defend Defendant No. 1, Mr. N. T. Rama Rao. Now, if that too I cannot refer to, Madam, this debate will be meaningless (*Interruptions*) It will be utterly meaningless if we cannot refer to the views of the lawyer. Unfortunately, the views of his lawyer.... (*Interruptions*)

SHRI PARVATHANENI UPENDRA: How is it relevant?

SHRI N. K. P. SALVE: Implicitly his condemnation is much worse than the condemnation of the Home Minister. If that is so, then I will say that the Home Minister, whatever it may be, can never be guilty of what they are accusing him to be Madam, what happened -- I am referring to what he stated in the High Court, the lawer... (*Interruptions*)

SHRI PARVATHANENI UPENDRA: You have to give your ruling. He canot read this thing. He is enlarging the scope of the debate. Then we will have to bring so many other things.

SHRI N. K. P. SALVE: Madam, I am referring to 'India Today'. ..

THE DEPUTY CHAIRMAN: Are you referring to something on which already a judgment has been given or is it *sub judice*?

SHRI N. K P. SALVE: Judgment given. I am not referring to any allegation. I am referring to what the lawyer stated in the Andhra Pradesh High Court. (*Interruptions*)

AN HON. MEMBER: You cannot refer to that.

SHRI PARVATHANEN UPENDRA: He cannot . (*Interruptions*)

AN HON. MEMBER: It is a public document.

THE DEPUTY CHAIRMAN: According to Rule 238, which has just now been pointed out by Mr. Dipen Ghosh, a member while speaking shall not refer to any matter of fact on which a judicial decision is pending Therefore, I will request the Member that he should not refer to any decision which is pending, but where already a judgment is given... *(Interruptions)*

SHRI N. K. P. SALVE: Madam, I am....

SHRI DIPEN GHOSH: Have you satisfied yourself that the document from which he is reading is a document relating to a case which has since been finalised? Are you satisfied yourself?

THE DEPUTY CHAIRMAN: I have directed the Member to refer only to a judgment which is given, and not which is pending. And he is going to do that.

SHRI N. K. P. SALVE: I am referring to that part of the proceedings in the High Court as reported in India Today at page 41 of November about what happened in the court of law. It is a matter which has been decided.

SHRI PARVATHANENI UPENDRA: Madam, I will give him this.

SHRI N. K. P. SALVE: If you are going to do this any more, not one of you will be allowed to speak by my party. I have not used a single disparaging sentence. Not a word have I said against Mr. N T Rama Rao. I am dealing with a subject-matter or a matter which has already been decided in a court of law. It it reported here.

SHRI PARVATHANENI UPENDRA: You take this. You quote from here.

SHRI N. K. P. SALVE: I am not quoting from the judgment.

SHRI BUTA SINGH: This is not decent.

THE DEPUTY CHAIRMAN: I request the hon. Members to come back to their senses. Please behave yourself. Don't to this thing. Don't throw papers on others. I request all the Members. Please behave yourself.

SHRI N. K. P. SALVE: At one stage, Justice Anjaneyulu drew Palkhivala's attention to a significant point made by the petitioner's lawyer.

SHRI V. GOPALSAMY: It should not be allowed.

SHRI PARVATHANENI UPENDRA: You should ask him where he is reading from.

SHRI N. K. P. SALVE: I am reading from 'India Today' of November, page 41.

SHRI PARVATHANENI UPENDRA: How is it relevant? How does 'India Today' come into the picture? There are hundreds of magazines which have written about N. T. Rama Rao and about Rajiv Gandhi.

SHRI N.K P. SALVE: It deals directly with the allegation of corruption which is admitted by Mr. N.T. Rama Rao himself.

SHRI PUTTAPAGA RADHAKRISHN (Andhra Pradesh): He has claimed that he is quoting from the judgment.

SHRI MADAN BHATIA (Nominated): Madam, on a point of order. My point of order is this. The whole controversy is being raised on this question whether any reference can be made to the conduct of the gentleman involved and on whom the hon. Home Minister is alleged to have made certain imputations. The hon. Member who made this Special Mention said at the close of it that if the report in the newspaper is correct, the hon. Home Minister should not have said this. I respectfully submit that this raises one fundamental question. If the case of the hon. Member is this that even if these allegations are true, even then the Home Minister should not have made these allegations, then it is different. I can understand that the conduct of Mr. Rama Rao may not be discussed before this hon. House. But

[Shri Madan Bhatia]

if it is the case of Mr. Upendra that these allegations which have been made by the hon. Home Minister against Mr. N. T. Rama Rao are incorrect then this hon. House is seized of the matter whether the allegations which have been made against Mr. N T. Ramarao are correct or they are not correct. And this is a subject matter of debate and is liable to be discussed.

SHRI PARVATHANENI UPENDRA: Madam, on a point of order.

THE DEPUTY CHAIRMAN: Now the House stands adjourned for lunch and we will meet again at 2.30 p.m.

The House then adjourned for lunch at one minute past one of the clock.

The House reassembled after lunch at thirty two minutes past two of the clock, The Vice-Chairman (Shri Jagesh Desai) in the Chair.

ANNOUNCEMENT RE. GOVERN .MENT BUSINESS FOR THE WEEK. COMMENCING THE 7TH DECEMBER, 1987

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Sir, with your permission, I rise to announce that Government Business in this House during the week commencing, 7th December, 1987, will consist of:—

(1) Consideration and passing of:—

(a) The Administrative Tribunals- (Amendment) Bill, 1987.

(b) The Indian Medical Council (Amendment) Bill, 1987.

(2) Consideration and return of:—

(a) The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Amendment Bill, 1987, as passed by Lok Sabha.

(b) The High Court Judges (Conditions of Service) Amendment Bill, 1987, as passed by Lok Sabha.

(c) The Appropriation (No. 5) Bill, 1987, as passed by Lok Sabha.

(d) The Finance (Amendment) Bill, 1987, as passed by Lok Sabha.

(3) Consideration and passing of the Regional Rural Banks (Amendment) Bill, 1987, as passed by Lok Sabha.

(4) Discussion on:—

(a) 35th and 36th Reports of the Union Public Service Commission.

(b) National Water Policy.

(5) Further consideration and passing of the Prevention of Corruption Bill, 1987, as passed by Lok Sabha.

(6) Consideration and passing of the Illegal Migrants (Determination by Tribunals) Amendment Bill, 1987, as passed by Lok Sabha.

SHRI P. N. SUKUL (Uttar Pradesh): Is the session going to be extended? Is there any such possiblity, looking at the Business for the next week?

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra). Sir, once the Business is announced

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Today is non-Government Business day. We will not take up any other business at present, up to 5 O'clock.

SHRI ALADI ARUNA alias V. ARUNACHALAM (Tamil Nadu): For your information, the Minister has informed some business which was not discussed in the Business Advisory Committee. Medical Council Bill was not there. I am raising it because I have to inform my Members..

SHRI M. M. JACOB: I have not said about Appropriation Bill because that is yet to be passed by the Lok Sabha. In